

City of Clewiston
Special Magistrate
Regular Hearing
March 29, 2011

The City of Clewiston Special Magistrate held its regular meeting in the city hall commission chambers, 115 West Ventura Avenue, Clewiston, Florida, on Tuesday, March 29, 2011. The meeting was called to order at 2:00 p.m. by Magistrate Watt.

Attendance

Magistrate present: James L. Watt

Personnel present: Pete Garcia, Officer Gonzalez, Marilyn McCorvey,
Travis Reese, Debra Towner

Visitor(s) present: Md Al Amin, Terry Brackins, Bette Jones, Ali
Matar, James D. Plizer, Emilio Rodriguez

Pledge of Allegiance.

Special Magistrate Watt briefly summarized the purpose of the hearing.

Approval of minutes from January 26, 2011: Let the record show an accurate reflection of the proceedings.

Swearing in of all parties intending to present testimony.

Additions/deletions to agenda: Mr. Reese stated there was one case under Fine Assessment that needed to be tabled due to lack of service.

Consent agenda: One (1) case is dismissed after Code Officer Garcia's testimony that it is in compliance.

New business:

Case No.10-0207:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0207, for the property located at 516 West Haiti Avenue, owner of record, Emilio Rodriguez.

Mr. Reese stated the violation is lack of landscape maintenance sec. 18-640 and presented pictures of the property. Home owner Rodriguez verified the pictures are of the property. Mr. Rodriguez stated that there had been a fire at the property and that he required additional time to straighten his claims with his insurance company.

The City of Clewiston recommended review of this case at the next meeting.

Mr. Watt ruled that case number 10-0207 would be reviewed at the next meeting.

Case No.10-0209:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0209, for the property located at 516 West Haiti Avenue, owner of record, Emilio Rodriguez.

Mr. Reese stated the violation is lack of property maintenance sec. 18-616 and presented pictures of the property.

Code Officer Garcia verified with Mr. Rodriguez that the pictures are of the property.

The City of Clewiston recommended review of this case at the next meeting.

Mr. Watt ruled that case number 10-0209 would be reviewed at the next meeting.

Case No.10-0222:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0222, for the property located at 401 East Sugarland Hwy., owner of record, Lawrence Gamer.

Mr. Reese stated the violation is lack of property maintenance sec. 18-616 and presented pictures of the property.

Code Officer Garcia verified that the pictures are of the property, as the owner was not present.

The City of Clewiston recommended fourteen (14) days to comply with code section 18-616 to clean & paint the building.

Mr. Watt ruled that the owner has fourteen (14) days to clean & paint the building and to contact the office that it has been completed at which time a code officer will verify closure of this case. Failure to comply will result in a fine assessment hearing to determine what, if any, fines are to be levied.

Case No.11-0234:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0234, for the property located at 602 East Sugarland Hwy., owner of record, Belle Glade Chevrolet Cadillac.

Mr. Reese stated the violation is a lack of landscape maintenance sec. 18-640 and presented pictures of the property.

Code Officer Garcia verified that the pictures are of the property, as the owner was not present.

The City of Clewiston recommended review of this case at the next meeting.

Mr. Watt ruled that case number 11-0234 would be reviewed at the next meeting.

Case No.11-0237:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0237, for the property located at 641 East Sugarland Hwy., owner of record, Clewiston 641 LLC.

Mr. Reese stated the violations are fire code violations sec. 38-31 and presented pictures of the property.

Fire Marshal Marquith verified the pictures are of the property with the manager of the business, as the owner was not present. The owner, Clewiston 641 LLC, had contacted the office and stated that they are now working on the property to bring all violations into compliance. Fire Marshal Marquith agreed that the owner is working hard to bring the property into compliance.

The City of Clewiston recommended thirty (30) days to comply with current fire codes in code section 38-31.

Mr. Watt ruled that the owner has thirty (30) days to comply and to contact the office that it has been completed at which time the fire marshal will verify closure of this case. Failure to comply will result in a fine assessment hearing to determine what, if any, fines are to be levied.

Case No.11-0245:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0245, for the property located at 610 Sabal Avenue, owner of record, Bette Jones.

Mr. Reese stated the violation is lack of property maintenance sec. 18-616 and presented pictures of the property.

Code Officer Garcia verified that the pictures are of the property with the owner, Bette Jones, who was present. Ms. Jones & Mr. Brackins stated that they agree the property is in need of repair and that they have been working on it as time permits. They requested forty (40) days to complete the clean up to the property and to fix the roof on the shed.

The City of Clewiston recommended thirty (30) days to comply with code section 18-616 to complete the clean up and fix the roof on the shed.

Mr. Watt ruled that the owner has forty (40) days to clean the property and to repair the roof on the shed and to contact the office that it has been completed at which time a code officer will verify closure of this case. Failure to comply will result in a fine assessment hearing to determine what, if any, fines are to be levied.

Case No.11-0246:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0246, for the property located on East Obispo (Kite's Nest MHP), owner of record, Stanton Corp.

Mr. Reese stated the violation is lack of property maintenance sec. 18-616 and presented pictures of the property.

Code Officer Garcia verified the pictures are of the property, as the owner was not present. The owner, Matt Stanton, had contacted the office and stated that the property has been mowed and the fence removed. Code Officer Garcia agreed that the property is now in compliance.

The City of Clewiston recommended dismissal of this case.

Mr. Watt ruled that case number 11-0246 is in compliance and is dismissed.

Case No.11-0249:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0249, for the property located at 1020 South WC Owen Avenue, owner of record, Atalla's Quick Stop LLC.

Mr. Reese stated the violation is excessive building signs sec. 18-420 and presented pictures of the signs.

Code Officer Garcia verified that the pictures are of the signs as the owner was not present.

The City of Clewiston recommended thirty (30) days to comply with code section 18-420 to remove the excessive signs.

Mr. Watt ruled that the owner has thirty (30) days to remove the signs and to contact the office that it has been completed at which time a code officer will verify closure of this case. Failure to comply will result in a fine assessment hearing to determine what, if any, fines are to be levied.

Case No.11-0250:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0250, for the property located at 1020 South WC Owen Avenue, owner of record, Atalla's Quick Stop LLC.

Mr. Reese stated the violation is temporary signs sec. 18-439 and presented pictures of the signs.

Code Officer Garcia verified that the pictures are of the signs as the owner was not present. He also stated that the temporary signs have been removed.

The City of Clewiston recommended dismissal of this case.

Mr. Watt ruled that case number 11-0246 is in compliance and is dismissed.

Case No.11-0251:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0251, for the property located at 1030 South WC Owen Avenue, owner of record, Atalla's Quick Stop LLC.

Mr. Reese stated the violation is banners sec. 18-393 and presented pictures of the banners.

Code Officer Garcia verified that the pictures are of the banners as the owner was not present. He also stated that the banners have been removed.

The City of Clewiston recommended dismissal of this case.

Mr. Watt ruled that case number 11-0251 is in compliance and is dismissed.

Case No.11-0254:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0254, for the property located at 1030 South WC Owen Avenue, owner of record, Atalla's Quick Stop LLC.

Mr. Reese stated the violation is signs placed on an unlicensed vehicle sec. 18-405 and presented pictures of the signs.

Code Officer Garcia verified that the pictures are of the vehicle as the owner was not present. He also stated that the vehicle now has a valid tag.

The City of Clewiston recommended dismissal of this case.

Mr. Watt ruled that case number 11-0254 is in compliance and is dismissed.

Case No.11-0255:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 11-0255, for the property located at 1030 South WC Owen Avenue, owner of record, Atalla's Quick Stop LLC.

Mr. Reese stated the violation is excessive building signs sec. 18-420 and presented pictures of the signs.

Code Officer Garcia verified that the pictures are of the signs as the owner was not present.

The City of Clewiston recommended thirty (30) days to comply with code section 18-420 to remove the excessive signs.

Mr. Watt ruled that the owner has thirty (30) days to remove the signs and to contact the office that it has been completed at which time a code officer will verify closure of this case. Failure to comply will result in a fine assessment hearing to determine what, if any, fines are to be levied.

Fine assessment:

Case #10-0215

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0215, for the property located at 641 East Sugarland Hwy., owner of record, Clewiston 641 LLC.

Mr. Reese stated that the sign has been replaced and presented pictures of the sign.

Code Officer Garcia verified that the pictures are of the sign as the owner was not present.

The City of Clewiston recommended dismissal of this case.

Mr. Watt ruled that case number 10-0215 is in compliance and is dismissed.

Old Business:

Mr. Reese stated that the owner, Motel Plaza, LLC, had submitted an application for reduction in lien for the fine assessment levied on the property located at 621 East Sugarland Hwy., Case #10-0002 for non-

compliance. Mr. Reese asked the owner come forward to state their case. No one did so Mr. Reese asked that the record show no on from Motel Plaza,

LLC was not in attendance and looked to Mr. Watt for direction.

Mr. Watt stated that there is no evidence in the record to base a reduction and therefore could not be reduced. Mr. Reese asked if they were to submit a new application that they could be heard at the next meeting. Mr. Watt said that they cannot be denied the right to appeal but that once it was ruled on and, if rejected, cannot appeal again. They can only come to state their case for one ruling.

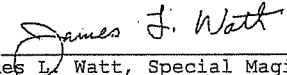
Mr. Watt asked if anyone in the audience had any further business as we had come to the end of agenda items.

Ali Matar spoke about his reduction of lien request and was informed that he never submitted his application along with the fee so until he did, his request would not be on the agenda.

Magistrate Watt closed the public hearing after receiving no further comments, written or oral, from the audience or the board.

Adjournment:

The meeting adjourned at 3:00 p.m.


James L. Watt, Special Magistrate